

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA,
Plaintiff/Counterclaim Defendant,

vs.

ALASKA STATE EMPLOYEES
ASSOCIATION/AMERICAN
FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES
LOCAL 52, AFL-CIO,

Defendant/Counterclaimant.

ALASKA STATE EMPLOYEES
ASSOCIATION/AMERICAN
FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES
LOCAL 52, AFL-CIO,

Third-Party Plaintiff,

vs.

MICHAEL J. DUNLEAVY, in his
official capacity as Governor of Alaska;
KEVIN G. CLARKSON, in his official
capacity as Attorney General of Alaska;
KELLY TSHIBAKA, in her official
capacity as Commissioner of the Alaska
Department of Administration; and
STATE OF ALASKA, DEPARTMENT
OF ADMINISTRATION,

Third-Party Defendants.

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Original Received

SEP 25 2019

Clerk of the Trial Courts

Case No. 3AN-19-09971 CI

ASEA'S MOTION FOR OVER-LENGTH BRIEF

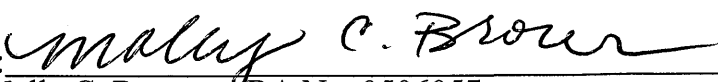
1 ASEA¹ moves this Court to accept its over-length Motion for Temporary
2 Restraining Order and Preliminary Injunction; Memorandum in Support (“Motion”). The
3 Motion is 47 pages. Under Administrative Order 3AO-030-04, the Motion is limited to
4 20 pages. Good cause exists for this request.
5

6 The Motion presents an issue of statewide (indeed, national) importance—whether
7 the Governor of Alaska may implement changes to the State’s practices for deducting
8 authorized union membership dues and repudiate a collective bargaining agreement the
9 State signed just a month ago based on the Attorney General’s assertion that *Janus v.*
10 *AFSCME, Council 31*, 138 S.Ct. 2448 (June 27, 2018), mandates such action, even
11 though *Janus* was solely a case about mandatory *non*-member agency fees. An over-
12 length brief is necessary to fully explain the legal issue and to discuss the legal authorities
13 that have addressed the same issue.
14
15

16 ASEA respectfully requests that this Court grant this motion.

17 DATED this 25th day of September 2019, at Anchorage, Alaska.
18

19 DILLON & FINDLEY, P.C.
20 Attorneys for Alaska State Employees
Association / AFSCME Local 52, AFL-CIO

21 By: 
22 Molly C. Brown, ABA No. 0506057
23

24 ¹ “ASEA” is the Alaska State Employees Association / American Federation of
25 State, County and Municipal Employees Local 52, AFL-CIO, the defendant/
counterclaimant/third-party plaintiff in this case.

ALTSHULER BERZON, LLP
Attorneys for Alaska State Employees
Association / AFSCME Local 52, AFL-CIO

Scott A. Kronland (*Pro Hac Vice* Admission Pending)
Matthew J. Murray (*Pro Hac Vice* Admission Pending)
Stefanie Wilson (*Pro Hac Vice* Admission Pending)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 25, 2019, a true and correct copy of the foregoing document was served by:

☒ hand delivery
☒ first class mail
☒ email

on the following attorneys of record:

Tregarrick R. Taylor — *hand delivered*
Deputy Attorney General
State of Alaska
1031 W. 4th Avenue, Suite 200
Anchorage, AK 99501
Email: treg.taylor@alaska.gov

William S. Consovoy — *mail & email*
J. Michael Connolly
Consovoy McCarthy, PLLC
1600 Wilson Blvd., Suite 700
Arlington, VA 22209
Email: will@consovoymccarthy.com
mike@consovoymccarthy.com

Lisa Kusmider

Lisa Kusmider

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ORDER GRANTING MOTION FOR OVER-LENGTH BRIEF

1 Having reviewed ASEA's Motion for Over-Length Brief and any opposition or
2 reply thereto, IT IS HEREBY ORDERED that said Motion is GRANTED.

3
4 DATED: _____

5 THE HONORABLE GREGORY A. MILLER
6 Superior Court Judge

7
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13 on the following attorneys of record:

14 Tregarrick R. Taylor - *hand delivered*
15 Deputy Attorney General
State of Alaska
1031 W. 4th Avenue, Suite 200
16 Anchorage, AK 99501
Email: treg.taylor@alaska.gov

17 William S. Consovoy - *mail & email*
18 J. Michael Connolly
Consovoy McCarthy, PLLC
19 1600 Wilson Blvd., Suite 700
Arlington, VA 22209
20 Email: will@consovoymccarthy.com
21 mike@consovoymccarthy.com

22 *Lisa Kusmider*
23 Lisa Kusmider